

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
CIVIL DIVISION

Nawel Ali )  
Plaintiff, )  
 )  
vs. ) Case No: 18-1385  
BC Architects Engineers PLC )  
 ) Jury Demand  
Defendant. ) Retaliation Under 42 U.S.C  
 ) §1981  
 ) Plaintiff's 2<sup>nd</sup> Amended  
 ) Complaint

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Introduction

In light of the October 16, 2020 decision from the Fourth Circuit in the matter of *Ali v. B.C. Architects*, Appeal No, 19-1582, Ali through her undersigned counsel files this 2<sup>nd</sup> Amended Complaint on the sole count of retaliation under 42 U.S.C §1981, against the Defendant B.C Architects Engineers PLC. Ali is an Arab-American female. She is from Syria. Ali was employed by the Defendant, BC Architects Engineers PLC (BC Architects), from March 9, 2015 to April 15, 2016. While at BC Architects Engineers, Ali was subject to discrimination based on her race, (Arab), and was retaliated against because she complained about the discriminatory behavior. BC retaliated against Ali by terminating her on 4/15/2016.

Consequently, Ali now brings this complaint of retaliation under Section 1981 against the Defendant BC Architects for

1 damages in the minimum amount of three million dollars  
2 (\$3,000,000.00) .

3  
4 **Part I. Parties**

5 1. Plaintiff Ali is an Arab female and traces her ancestry to  
6 Syria. She is also a Muslim. Ali is a former employee of  
7 Defendant BC Architects Engineers. She was employed as a CAD  
8 designer and earned approximately \$55,000 per year. Ali is an  
9 employee under 42 U.S.C 2000 et seq.  
10

11  
12 2. The Defendant BC Architects Engineers is an architectural and  
13 engineering firm located in Falls Church, VA. They are an  
14 employer under 42 U.S.C 2000 et seq.  
15

16 **Part II. Jurisdiction & Venue**

17 3. The Court has jurisdiction of this case under 28 U.S.C. § 1331  
18 and/or 28 U.S.C. § 1332.  
19

20 4. Venue is proper in the Eastern District Court of Virginia  
21 under 28 U.S.C. §1391, because Plaintiff worked at Defendant's  
22 Falls Church, Virginia location which is located within this  
23 Court's jurisdiction. A substantial part of the claims and  
24 defenses to the action occurred within the Court's  
25 jurisdiction, in that Ali was discriminated and verbally  
26 harassed within this jurisdiction, and was also retaliated  
27 against within the Court's jurisdiction.  
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**Part III. Exhaustion of Administrative Remedies**

5. None. Ali has no administrative filing requirements under Section 1981

**Part IV. Statement of Facts**

6. Ali has a Bachelors (B.S) in structural engineering from Aleppo University, Syria. Ali is an Arab female and was employed with BC Architects as a CAD Designer, earning approximately \$55,000 per year from March 9, 2015 to April 15, 2016.

7. She had a contract for employment and wages with the Defendant.

8. Eric Chuck (Chinese-American) male was employed as a structural engineer with the Defendant.

9. On September 14, 2015, the owners of the company, Brian Quinn<sup>1</sup> (Caucasian, American male) and Chris Morin (Caucasian, American male), told Ali to stop doing work as a CAD designer and focus only on structural engineering duties.

10. Ali was told that she was to assume all of Chuck's structural engineering duties after his departure, within two weeks.

11. On September 28, 2015, Chuck left the defendant for employment elsewhere.

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<sup>1</sup> <https://www.linkedin.com/in/brian-quinn-1207012/>

1 12. Chuck gave Ali all the codes and notes that he had on  
2 structural engineering because Ali was now assuming his  
3 duties.  
4

5 13. On September 29, 2015, a co-worker, Allen told Ali that  
6 Sohrab Begherzadeh (Iranian-American, Shia male), the project  
7 manager, wanted Ali to do CAD drawings. A structural  
8 engineer's duties encompass more than the duties of a CAD  
9 designer.  
10

11 14. On September 30, 2015, Ali arrived late to the office. Upon  
12 arrival, Ali was surprised to find that most of her co-workers  
13 sent her emails asking her to do CAD drawings. A few minutes  
14 later Mr. Begherzadeh came to Ali's desk and yelled at her and  
15 falsely accused her of cheating the company by coming late and  
16 leaving early. Ali subjectively believed that Begherzadeh was  
17 condescending to her because of her race and ethnic  
18 characteristics, in this case because Ali was from Syria and  
19 Begherzadeh being from Iran. Begherzadeh would also frequently  
20 treat Nasrin Eshagi, condescendingly.  
21

22 **1<sup>st</sup> Protected Activity**  
23

24 15. Ali went to the owners immediately and reported the issue  
25 concerning Mr. Begherzadeh and that he was discriminating  
26 against her because of her race and/or her protected class.  
27 The owners said they would investigate the matter.  
28  
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1 16. On October 1, 2015, after no investigation on this matter  
2 was conducted, Ali felt that the owners were simply going to  
3 ignore her. Thus around 4:15pm on 10/1/2015, she sent an email  
4 to Chris Morin describing her interactions with Begerzadeh.  
5

6 17. On October 2, 2015, the company owners Morin and Quinn  
7 called Ali into their office.  
8

9 18. Both Morin and Quinn informed her that (a) after speaking  
10 to her co-workers and (b) because of the lack of cameras in  
11 the workplace, they were unable to corroborate her claims of  
12 discrimination against Begerzadeh.  
13

14 19. Morin and Quinn then told Ali that she was over-reacting  
15 and that it maybe because of the civil war in Syria.  
16

17 20. On October 12, 2015, Ali travelled to Turkey for vacation.  
18 Defendants were notified of her travel plans to Europe  
19 sometime in August 2015.  
20

21 21. Both Morin and Quinn repeatedly asked her if instead of  
22 travelling to Turkey, she had any plans to visit Syria? They  
23 also asked her, if she was traveling to Syria via Turkey. They  
24 also asked her if she was travelling to Turkey and Europe  
25 alone, or with her family.  
26  
27

28 22. Ali subjectively felt and believed that their repeated  
29 questioning about her travels to Turkey and/or Syria as a lone  
30 traveler implied that Ali was going on some  
31  
32

1 clandestine/terrorist mission to Syria, and that Ali was  
2 secretly planning to be a suicide bomber or *jihadist*.

3 23. These repeated enquiries of her travels also happened when  
4 she was in Turkey, when she received a text message from her  
5 employers, if she was planning on returning to the United  
6 States?  
7  
8

9 24. Ali replied to the text message, saying "Yes" I am coming  
10 back to the USA.  
11

12 **1<sup>st</sup> Demotion After Travels to Turkey**

13 25. On November 2, 2015, after returning from her foreign  
14 travels to Turkey, she was surprised to learn that a Caucasian  
15 male, Charles Ohrnberger had assumed all her duties as a  
16 structural engineer.  
17

18 26. On November 3, 2015, the Defendant's informed Ali that they  
19 have a new client, who needed 40 projects completed on an  
20 aggressive schedule. Ali worked on the project day and night,  
21 and completed the assignment in less than 5 weeks.  
22

23 Defendant's informed her that she had done a good job on the  
24 project.  
25

26 27. Sometime in December 2015, she heard from her co-workers  
27 that the company was in need of more structural engineers.  
28 Having previously assumed the duties of Chuck (the prior  
29 structural engineer), Ali informed Morin that because she was  
30 familiar with the work and the software used, she would like  
31  
32

1 to apply and be considered for the structural engineer  
2 position. Having a Bachelor of Science in Structural  
3 Engineering, Ali believed she was qualified for the  
4 "Structural Engineering" position.  
5

6 28. Morin told her, "I am glad that you came and I will get  
7 back to you [on the structural engineer position]."  
8

9 29. Sometime before Christmas 2015, the Defendant's hired  
10 Bintaο Qin (Chinese Asian male) and Khalid Eid as structural  
11 engineers.  
12

13 30. Eid left 2 weeks after his start date, because he found  
14 another employment.  
15

16 31. Ali alleges that BC Architects discriminated against her  
17 because of her race (Arab) when they offered the structural  
18 engineering position to Bintaο Qin (Chinese Asian male) and/or  
19 Eid.  
20

21 32. On January 15, 2016, Ali received a 3% raise, the Defendant  
22 also offered her the project coordinator position. Ali had  
23 applied for the position of a structural engineer. A  
24 structural engineer earns more than a "project coordinator."  
25  
26

27 33. During this time, Ali also asked why she was not chosen as  
28 the structural engineer?  
29

30 **801(d) (2) (D) Admission**

31 34. Morin replied, "If we find a CAD drafter as good as you, we  
32 will hire you as a structural engineer."  
33

1 35. On February 9, 2016, Ali asked Morin and Quinn to give her  
2 a raise, because she was doing 3 jobs at the company. Morin  
3 and Quinn said that they are going to think about it and get  
4 back to her.  
5

6 36. On February 17, of 2016, Morin and Quinn denied Ali a  
7 raise. Ali alleges that she was denied a raise because of her  
8 prior protected activities.  
9

10 **2<sup>nd</sup> Demotion After Travels to Turkey**  
11

12 37. On March 21, 2016, Ali took a 4-day day vacation by  
13 travelling to Turkey. Ali was sponsoring her mother to live in  
14 the USA. Ali had an appointment with the U.S Embassy in  
15 Ankara, Turkey.  
16

17 38. Once again like her earlier travels to Turkey in October -  
18 November 2015, upon Ali's return from Turkey, she was demoted  
19 again from a "project coordinator" to a CAD Drafter.  
20

21 39. Ali alleges that like her first demotion in 2015, her  
22 second demotion was also related to her travels to a  
23 predominantly Arab country - and that the Defendant's harbored  
24 racial animus towards Arabs.  
25  
26

27 40. On March 30, 2016, Ali spoke with the owners Quin and Morin  
28 about the demotion. She also informed them that she had  
29 trouble working with Begherzadeh as he is rude and  
30 condescending to women and Arabs and that he treats her  
31 unfairly. Ali also told Morin and Quinn, that there was  
32



1 discrimination in this company. Ali also said that women have  
2 no room to grow within the company.

3 41. Quinn replied, "this is not true."  
4

5 42. On April 4, 2016, and April 7, 2016, Ali's son was sick.

6 She sent an email to the employer asking them to let her work  
7 from home so she can care for her son.  
8

9 43. Her request for working from home to care for her son was  
10 denied.  
11

12 44. Request to work from home from non-Arab employees on the  
13 other hand is routinely granted.

14 45. Ali believes that the denial of her request for leave was  
15 related to her race, Arab and/or because of her prior  
16 protected activities  
17

18 **April 15, 2016 Protected Activity. Ali was terminated 60**  
19 **minutes later.**  
20

21 46. On April 15, 2016, Ali sent an email to Quinn and Morin  
22 documenting discrimination and retaliation within the company.  
23 This email was sent at 3:07 pm.  
24

25 47. Ali also subjectively believed and alleges that she was  
26 complaining about race discrimination at the workplace.

27 48. Upon information and belief, the Defendant's read her email  
28 sent at 3:07 pm.  
29

30 49. 60 minutes later on 4/15/2016, at approximately 4 pm Ali  
31 would be terminated.  
32

1 50. On this day on 4/15/2016 around 4pm Quinn angrily  
2 approached Ali. His face was red and he was furious. Morin was  
3 also present in this meeting with Ali. They immediately told  
4 her that, "you are fired and that you are to leave  
5 immediately!"  
6

7 51. Ali asked if she could sit. Morin said, "No!"  
8

9 52. Ali then asked why she was being fired.

10 53. Quinn said, "you are causing a lot of problems within the  
11 company. You are bringing your mother's problems [of Arabic  
12 immigration to the United States] to the company. We don't  
13 want you here anymore!"  
14

15 54. The only knowledge that the Defendant had of Plaintiff's  
16 mother was that the mother (an Arab) was immigrating from a  
17 majority Arab nation to the United States - a non-Arab nation.  
18

19 55. The statement by Quinn is an admission under FRE  
20 810(d)(2)(D) of racial bias and animosity towards Arabs.  
21

22 56. Ali also subjectively believed that Quinn was aghast at her  
23 mother immigrating to the United States, and that he was  
24 hostile towards her mother, because she was an Arab.  
25

26 57. Ali then told them, she was being fired because of her  
27 prior complaints under Title VII.  
28

29 58. Title VII is a federal statute that protects employees from  
30 discrimination at the work place based on their protected  
31 classes of race, sex, and national origin.  
32

1 59. Quinn said, "that is not true."

2 60. Morin then opened the door and asked her to leave. As Ali  
3 went to her desk, both of them closely monitored her, standing  
4 over her in a threatening manner. When she tried to retrieve  
5 her personal files from her computer, Morin yelled at her,  
6 saying, "you can't take your files! This is our work" and  
7 forcefully shut down the computer.  
8

9  
10 61. Morin and Quinn treated Ali like she was a criminal and a  
11 terrorist. Her colleagues who witnessed this behavior was  
12 shocked at the child like tantrum thrown by Morin and Quinn.  
13

14 62. When Ali tried to say good bye to her work colleagues, both  
15 Morin and Quinn prevented her from doing. They then walked her  
16 towards the door, gave her a bad and angry look and slammed  
17 the door behind her.  
18

19  
20 63. As Ali was walking towards her car, Quinn walked to her to  
21 collect the office keys and said, "you are a very talented  
22 person but you created a lot of problems to this company and  
23 things are not working out with you." Ali was crying. She gave  
24 Quinn the office keys and left.  
25

26  
27 64. Once again, prior non-Arab employees upon termination were  
28 not treated like Ali. Other employees outside her protected  
29 class were allowed to take their time to collect their files  
30 and other personal belongings upon termination.  
31  
32

1 65. One of her co-workers called her later, and informed her  
2 that both Morin and Quinn even changed the door locks after  
3 her termination.  
4

5 66. Upon information and belief, the Defendant then replaced  
6 her with an individual outside of Plaintiff's protected class.  
7 A non-Arab male.  
8

9 67. Defendant's have an insurance policy that will indemnify  
10 them for this lawsuit.  
11

12 **Part V. Causes of Action**  
13 **COUNT I. RETALIATION UNDER § 1981**

14 68. Plaintiff alleges and incorporates all the above  
15 paragraphs.  
16

17 69. Plaintiff engaged in protected activities and opposition to  
18 practices made unlawful under Section 1981 while employed by  
19 the Defendant.  
20

21 70. Ali also subjectively believed that she was complaining  
22 about race discrimination in her complaints to her employer.  
23

24 71. As a result of her protected activities and opposition to  
25 practices made unlawful under Section 1981, Plaintiff was  
26 subjected to adverse employment actions, including but not  
27 limited to her termination on April 15, 2016.  
28

29 72. A casual connection exists between Plaintiff's protected  
30 activities and the adverse employment actions taken by  
31  
32

1 Defendant. See *Ali. v. B.C. Architects*, Appeal No. 19-1582  
2 (4<sup>th</sup> Cir. October 16, 2020).

3  
4 73. As a direct and proximate result of this injury from the  
5 Defendant, Plaintiff has suffered and is suffering  
6 considerable injury, including but not limited to loss of  
7 substantial past and future salary and income, benefits and  
8 other privileges and entitlements of employment, loss of  
9 professional status and career enhancing and advancement  
10 opportunities and loss of retirement savings and benefits. The  
11 Plaintiff has also suffered from emotional distress arising  
12 from the loss of her job, the damage to her professional  
13 reputation and the embarrassment, humiliation, and indignity  
14 arising from the discriminatory conduct of Defendant and/or  
15 agents or employees acting on its behalf, and the stress and  
16 anxiety caused by her wrongful termination and resultant  
17 financial hardship.

18  
19 74. As a consequence of Defendant's action, it is additionally  
20 liable for attorney's fees and other costs and interest in  
21 pursuit of this litigation.

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27 **Part VI. Relief Sought**

28 **WHEREFORE**, the Plaintiff respectfully requests this Court  
29 award economic damages to be proved at trial, and in  
30 addition:  
31  
32

1 A. Enter judgment for the Plaintiff against the Defendant BC  
2 Architects Engineers PLC, on all Counts, in an amount no less  
3 than three million dollars (\$3,000,000.00)

4 B. Declare that the conduct of the Defendant is in violation  
5 of Section 1981,

6 C. Award Plaintiff Ali reinstatement, punitive damages,  
7 full back pay and front pay, including salary, benefits,  
8 entitlements, loss of professional status and career-  
9 enhancing opportunities, bonuses', cash awards, loss of  
10 retirement savings and benefits and other remuneration and  
11 privileges of employment retroactive to the date of any  
12 unlawful employment action found to have occurred in this  
13 case.

14 D. Award Plaintiff Ali compensatory damages for emotional  
15 distress injuries and loss;

16 E. Award Plaintiff pecuniary and out of pocket expenses;

17 F. Order Defendant to pay all reasonable attorney's fees,  
18 court costs, and expenses  
19 incurred by Plaintiff as a result of Defendants' actions  
20 and inactions, as well as pre  
21 judgment and post-judgment interest; and

22 G. Order such other equitable and legal relief as the Court  
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deems just and appropriate.

**Part VII. Jury Trial Demanded**

Plaintiff demands a jury trial for this action.

Respectfully Submitted,

/s/ Monique A. Miles, Esq.  
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January 7, 2021

**Certificate of Service.**

A copy of the foregoing 2<sup>nd</sup> Amended Complaint was filed via ECF on 1/7/2021 with copies sent to counsel for the Defendant.

/s/ Monique Miles